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PATENT TRADEMARK OFFICE

PATENT

Attorney Docket No. 5725.0347-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continuation Application of:) Prior Application
Carolyn Caes et al.) Group Art Unit: 1615
Continuation Application of) Examiner: K. George
Application No.: 09/258,809)
Filed: January 23, 2002)
For: COSMETIC COMPOSITIONS)
CONTAINING DI-BLOCK, TRI-)
BLOCK, MULTI-BLOCK AND)
RADIAL BLOCK COPOLYMERS)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

PRELIMINARY AMENDMENT

Prior to the examination of the above application, please amend the claims as follows:

IN THE CLAIMS:

Please cancel claims 1-48 without prejudice or disclaimer and add new claims 49 - 66 as follows:

--49. A transfer resistant cosmetic composition comprising:

(a) an effective amount of at least one copolymer film former selected from tri-block, multi-block, and radial copolymers, and

(b) at least one additional film former, wherein said at least one additional film former is not a block copolymer film former,

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with the proviso that said at least one additional film former (b) is not an alkyl cycloalkylacrylate.

50. A transfer resistant cosmetic composition according to claim 49, wherein said at least one copolymer film former comprises at least one radial copolymer film former and at least one tri-block copolymer film former.

51. A transfer resistant cosmetic product comprising a water/oil emulsion foundation, said emulsion comprising:

(a) an effective amount of at least one copolymer film former selected from tri-block, multi-block, and radial copolymers, and

(b) at least one additional film former, wherein said at least one additional film former is not a block copolymer film former,

with the proviso that said at least one additional film former (b) is not an alkyl cycloalkylacrylate.

52. A transfer resistant cosmetic product of claim 51, wherein said additional film former is an Allyl Stearate/VA copolymer film former.

53. A transfer resistant cosmetic product of claim 51, wherein the water phase of said water/oil emulsion further comprises at least one film former.

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54. A transfer resistant cosmetic product of claim 53, wherein said film former of said water phase is a PVP/VA copolymer film former.

55. A transfer resistant cosmetic product according to claim 51, wherein said at least one copolymer film former comprises at least one radial copolymer film former and at least one tri-block copolymer film former.

56. A transfer resistant eyeliner product comprising:
(a) an effective amount of at least one copolymer film former selected from tri-block, multi-block, and radial copolymers, and
(b) at least one additional film former, wherein said at least one additional film former is not a block copolymer film former,
with the proviso that said at least one film former (b) is not an alkyl cycloalkylacrylate.

57. A transfer resistant eyeliner product of claim 56, wherein said additional film former is an Allyl Stearate/VA copolymer film former.

58. A transfer resistant eyeliner product of claim 56, wherein said product further comprises organo-clays.

59. A transfer resistant eyeliner product according to claim 56, wherein said at least one copolymer film former comprises at least one radial copolymer film former and at least one tri-block copolymer film former.

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60. A transfer resistant mascara product comprising:

(a) an effective amount of at least one copolymer film former selected from tri-block, multi-block, and radial copolymers, and

(b) at least one additional film former, wherein said at least one additional film former is not a block copolymer film former,

with the proviso that said at least one film former (b) is not an alkyl cycloalkylacrylate.

61. A transfer resistant mascara product of claim 60, wherein said additional film former is an Allyl Stearate/VA copolymer film former.

62. A transfer resistant mascara product according to claim 60, wherein said at least one copolymer film former comprises at least one radial copolymer film former and at least one tri-block copolymer film former.

63. A transfer resistant lotion comprising:

(a) an effective amount of at least one copolymer film former selected from tri-block, multi-block, and radial copolymers, and

(b) at least one additional film former, wherein said at least one additional film former is not a block copolymer film former,

with the proviso that said at least one film former (b) is not an alkyl cycloalkylacrylate.

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64. A transfer resistant lotion according to claim 63, wherein said at least one copolymer film former comprises at least one radial copolymer film former and at least one tri-block copolymer film former.

65. A transfer resistant lipstick product comprising:

(a) an effective amount of at least one copolymer film former selected from tri-block, multi-block, and radial copolymers, and

(b) at least one additional film former, wherein said at least one additional film former is not a block copolymer film former,

with the proviso that said at least one film former (b) is not an alkyl cycloalkylacrylate.

66. A transfer resistant lipstick according to claim 65, wherein said at least one copolymer film former comprises at least one radial copolymer film former and at least one tri-block copolymer film former.--

REMARKS

Claims 1-48 have been cancelled without prejudice or disclaimer and claims 49 - 66 have been added. It is submitted that support for these new claims can be found in the original specification and claims. Moreover, Applicants submit that claims of this application are directed to subject matter cancelled in parent Application No. 09/258,809. Care has been taken so that no new matter has been added. Applicants now await an action on the merits.

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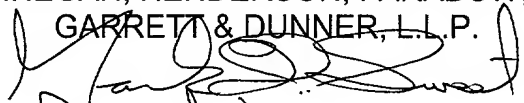
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If the Examiner believes a telephone conference would be helpful in advancing the prosecution of this application, the Examiner is respectfully urged to contact Applicants' undersigned representative at (202) 408-4173.

If there is any fee due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Reg. No. 41,469
for Anthony C. Tridico
Reg. No. 45,958

Dated: January 23, 2002

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